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EIGHTH ANNUAL MEETING
OF THE
AMERICAN SOCIETY OF INTERNATIONAL LAW
NEW WILLARD HOTEL, WASHINGTON, D. C.
APRIL 22-25, 1914

FIRST SESSION

Wednesday, April 22, 1914, 8 o'clock p.m.

The eighth annual meeting of the American Society of International Law was called to order by the President of the Society, Honorable ELIHU ROOT.

The PRESIDENT. In opening the annual meeting of the American Society of International Law, I will guard against your leaving before the President's address is finished by making the necessary announcement now that tomorrow morning at 10 o'clock in this place the conference on the teaching of international law in the educational institutions of the United States will begin. I understand the representatives of some fifty of the chief educational institutions of the country are to participate in that conference, which will be a part of this annual meeting.

Notwithstanding that the preceding year has been marked by much bloodshed and the other terrible accompaniments of war, progress in the cause of international arbitration and the peaceful settlement of International disputes has not lagged.

The Secretary of State of the United States has secured the acceptance in principle of 34 governments to his plan for the constitution of international commissions of inquiry for the investigation of international disputes which diplomacy may fail to adjust. According to the plan, the nations in controversy may not declare war or begin hostilities pending the report of these commissions. The nations which have accepted this form of treaty in principle are: Italy, Great Britain,

France, Brazil, Sweden, Norway, Russia, Peru, Austria-Hungary, Netherlands, Bolivia, Germany, Argentina, China, Dominican Republic, Guatemala, Haiti, Spain, Portugal, Belgium, Denmark, Chile, Cuba, Costa Rica, Salvador, Switzerland, Paraguay, Panama, Honduras, Nicaragua, Japan, Persia, Ecuador, and Venezuela. Treaties of this character have actually been negotiated with Salvador, Guatemala, Panama, Honduras, Nicaragua, Netherlands, Bolivia, Portugal, Persia, Switzerland, Costa Rica, Dominican Republic, Venezuela, and Denmark, a total of fourteen. These treaties are not intended as substitutes for the general arbitration treaties negotiated by the United States in 1908, but are intended to accompany and complement them. The Secretary of State is accordingly renewing as fast as they expire the general arbitration treaties of 1908 and the Senate is advising and consenting to their ratification. Up to the present time, renewals have been signed with France, Spain, Great Britain, Norway, Sweden, Japan, Portugal, Switzerland, Italy, Costa Rica, and Paraguay. Ratifications of the renewals have so far been exchanged with France, Spain, Great Britain, Norway, Sweden, and Italy.

Nor have activities along this line been confined to the United States. On May 3, 1913, Panama and Spain exchanged ratifications of a general arbitration treaty signed on July 25, 1912, and during the preceding fall and winter general arbitration treaties were renewed between Austria-Hungary and Switzerland, France and Great Britain, France and Italy, Great Britain and Spain, and France and Spain.

The disposition of the nations to settle their differences by peaceful means is even more strikingly shown in the number of cases which have actually arisen during the preceding year than in the number of arbitration treaties negotiated. On April 3, 1913, the Netherlands and Portugal referred to an arbitrator, to be chosen from among the members of the Permanent Court of Arbitration at The Hague, the questions in dispute between them relating to the boundary lines of their respective possessions in the Island of Timor. In May and June, 1913, an arbitral tribunal met in Washington to hear and determine pecuniary claims between the United States and Great Britain amounting to hundreds of thousands of dollars. Subsequently, the tribunal held a session at Ottawa and has now returned to this city, where the arbitration is at the present time in progress.

There is also pending in this city at the present time an arbitration

before the Chief Justice of the United States of the boundary controversy between Panama and Costa Rica, submitted by the treaty of March 17, 1910.

On May 4, 1913, the French and Italian Governments signed a declaration confirming their mutual intentions of putting no obstacles in each other's way in regard to their actions respecting the French in Morocco and the Italians in Libya. This is the concluding act in a long series of conventions and declarations between the great Powers of Europe, growing out of their controversies over their respective interests in North Africa, the peaceful settlement of which depended in a large measure upon the adjustment of the Moroccan situation.

On May 6, 1913, the Permanent Court of Arbitration at The Hague rendered its decision in the arbitration between France and Turkey, growing out of the seizure of the French steamers *Carthage* and *Manouba* during the recent war between Italy and Turkey. By its decision, the Italian Government was required to pay to the French Government 164,000 francs on account of the seizure of these two vessels.

On July 3, 1913, Persia and Turkey entered into an agreement to refer the disputes over their boundary line to a commission composed of delegates of Turkey, Persia, Great Britain, and Russia.

On July 31, 1913, an agreement was signed between Portugal, on the one hand, and France, Great Britain and Spain, on the other, referring to the Permanent Court of Arbitration at The Hague the differences between Portugal and the other Powers growing out of the confiscation of church lands by the Portuguese Government.

On September 10, 1913, an agreement was signed by France and Haiti, submitting to arbitration the claims of France against Haiti made in 1910 conjointly with the United States. Germany, Great Britain and Italy.

On October 14, 1913, an agreement was signed between France and Turkey, providing for mutual concessions relative to railroads, customs duties, foreign postal bureaus, etc.

On February 2, 1914, France and Peru agreed to submit mutual claims to the arbitration of the Permanent Court of Arbitration at The Hague.

A number of other matters of importance to the members of the Society should also be referred to.

The following international congresses have been held during the

year: The Eleventh International Conference on Maritime Law met at Copenhagen, May 13th; the Nineteenth Annual Lake Mohonk Conference on International Arbitration was in session May 14-16; the Second World Congress of International Associations met at Brussels June 15-19; the International Conference relating to Bills of Exchange met at The Hague June 15 to July 23; the Thirty-third Congress of the International Literary and Artistic Property Association met at The Hague July 16-19; the International Conference for the Protection of Children met at Brussels July 23-26; the Institute of International Law held an important meeting at Oxford, England, August 4-9; the Twentieth Universal Peace Congress met at The Hague August 20-23; the Eighth International Congress of Students met at Buffalo, N. Y., August 29 to September 20; the Eighteenth Annual Meeting of the Interparliamentary Union took place at The Hague September 3-6; the Third International Aërial Congress met at Frankfurt-on-the-Maine, September 25-27; the International Law Association met at Madrid October 1; the International Congress on Safety at Sea met at London November 14 and held its last meeting January 20, 1914.

A second international opium conference was held at The Hague from July 1 to July 9, 1913. This conference was called for the purpose of considering the deposit of ratifications of the International Opium Convention adopted at the first international opium conference which met at The Hague from December 1, 1911, to January 23, 1912. The recent conference disclosed that thirty-six countries had at that time signed the International Opium Convention and that it was expected that the few remaining Powers would shortly sign, so as to make it possible to put the convention into effect. The history of the world-wide movement to suppress the opium traffic and the results accomplished by the International Opium Convention are familiar to the members of the Society, who have been regularly kept informed through the columns of the JOURNAL by articles and editorials dealing with the subject.

It is a matter of very great regret that it cannot be definitely stated at this time that the Third Hague Peace Conference will be held next year, in accordance with the wish expressed by the Second Peace Conference. It will be remembered that, in accordance with that wish, an international preparatory committee was to be appointed some two years in advance of the holding of the conference, to collect the various

proposals which might be brought forward for submission to the conference, to ascertain what subjects were ripe for embodiment in an international regulation, to prepare a program for the conference and to formulate a system of organization and procedure. This international preparatory committee has not as yet been formed, although a number of nations have appointed what might be called local committees to prepare this material for their respective governments. The Government of the United States is not, however, allowing the calling of the conference at the appointed time to go by default, for on the 31st of January last the Secretary of State suggested to the governments which took part in the Second International Peace Conference, with a view to facilitate the consideration and preparation of the program of the next conference, that the duties of the international preparatory committee shall be committed to the Administrative Council of the Permanent Court of Arbitration at The Hague. It is to be hoped that this suggestion will meet with a ready response, for, if the appointment of the preparatory committee be expedited in this way, there is still time between now and the summer of 1915 to make the necessary preparations for the Third Conference.

The attention of the members of the Society has been called from time to time, through the editorial columns of the JOURNAL, to the proposal to establish an Academy of International Law at The Hague, and it is my very great pleasure tonight to be able to state that final arrangements have now been completed between the committee in charge of the establishment of the Academy and the Division of International Law of the Carnegie Endowment for International Peace to open the Academy during the present year. According to the statutes which have been adopted to govern the management of the Academy, its purpose is to provide a center of advanced studies in international law, both public and private, and in the related sciences, for the purpose of facilitating a profound and impartial study of questions bearing upon international legal relations, especially the conventions of The Hague and other conferences and the awards of the various Hague Tribunals. To this end, the most competent men of different countries will be invited to lecture on important subjects relating to international theory, practice, legislation, and jurisprudence. The courses will be given during the months of July, August, September, and October. An indispensable prerequisite to the success of this unique institution will be the attendance of a student body made up of com-

petent persons from different countries of the world, in order that the Academy may render that international service which is the reason and justification for its establishment. It is, therefore, hoped that the members of the Society will take an active interest in the Academy and promote as much as possible the attendance of students from the United States upon its courses.

I wish now to ask your attention for a few minutes to some observations upon the Monroe Doctrine.

THE REAL MONROE DOCTRINE

OPENING ADDRESS OF ELIHU ROOT,
President of the Society

GENTLEMEN OF THE SOCIETY:

I ask your attention for a few minutes to some observations upon the Monroe Doctrine. If I am justified in taking your time it will be not because I say anything novel, but because there is occasion for restating well settled matters which seem to have been overlooked in some recent writings on the subject.

We are all familiar with President Monroe's famous message of December 2, 1823:

The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European Powers * * *.

* * * * *

In the wars of the European Powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected and by causes which must be obvious to all enlightened and impartial observers.

We owe it, therefore, to candor, and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered and shall not inter-